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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/718,719 | 11/24/2003 | Masayuki Koshino | 245675US90 | 9938 |
| 22850 | 7590 | 07/02/2007 | | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | | |
| | | | EXAMINER | |
| | | | WALSH, JOHN B | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2151 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 07/02/2007 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/718,719

Applicant(s)

KOSHINO ET AL.

Examiner

John B. Walsh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-6 is/are rejected.
- 7) ☒ Claim(s) 2, 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/31/07; 12/2/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: 6/19/06; 11/24/03.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. App. Pub. 2004/0017798 A1 to Hurtt et al.

As concerns claim 1, a relay apparatus, which is connected to a first content server located on a private network and delivering various contents, relays the contents delivered by the first content server (0057-DNS) to a mobile terminal, the mobile terminal and the relay apparatus being connected to a radio network including a RAN (Radio Access Network), the relay apparatus comprising: a table setting section which sets, in accordance with an instruction from the mobile terminal, a table (0016-list;0058) including a radio connection identifier (0016-RAI) to identify a channel through which a content is sent and received between the mobile terminal (0003-mobile station) and the relay apparatus (0003-RNC) and an IP address (0016,0031-0032;0059) with which the content is sent and received between the relay apparatus and the first content server; a receiving section (0062) which receives content request information from the mobile terminal; and a transfer section (0069,0078) which transfers the content request information to the IP address included in the content request information when, based on the content request information received by the receiving section, the radio connection

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identifier and the IP address included in the content request information are identified in the table set by the table setting section (0031-0032).

As concerns claim 4, wherein when the radio connection identifier is set between the relay apparatus and the mobile terminal through the radio network, the relay apparatus sends the IP address of the first content server to the mobile terminal (0079).

As concerns claim 5, a method of controlling content delivery, in which a mobile terminal and a relay apparatus are connected to a radio network including a RAN (Radio Access Network), a first content server located on a private network and delivering various contents is connected to the relay apparatus, and the first content server delivers the contents to the mobile terminal via the relay apparatus, the method comprising: a first step of setting, in accordance with an instruction from the mobile terminal, a table (0016-list;0058) which includes a radio connection identifier (0016-RAI) to identify a channel through which a content is sent and received between the mobile terminal (0003-mobile station) and the relay apparatus (0003-RNC) and an IP address (0016,0031-0032;0059) with which the content is sent and received between the relay apparatus and the first content server; a second step of receiving content request information from the mobile terminal (0062); a third step of transferring the content request information to the IP address included in the content request information when, based on the content request information received in the second step, the radio connection identifier and the IP address included in the content request information are identified in the table set in the first step (0069,0078); and a fourth step of delivering the content made to correspond to the content request information to the mobile terminal via the relay apparatus based on the content request information transferred in the third step (0096-server returns).

As concerns claim 6, a content delivery system in which a mobile terminal and a relay apparatus are connected to a radio network including a RAN (Radio Access Network), a first content server located on a private network and delivering various contents is connected to the relay apparatus, and the first content server delivers the contents to the mobile terminal via the relay apparatus, wherein the relay apparatus includes: a table setting section which sets, in accordance with an instruction from the mobile terminal, a table (0016-list;0058) including a radio connection identifier (0016-RAI) to identify a channel through which a content is sent and received between the mobile terminal and the relay apparatus and an IP address (0016,0031-0032;0059) with which the content is sent and received between the relay apparatus and the first content server; a receiving section (0062) which receives content request information from the mobile terminal; and a transfer section (0069,0078) which transfers the content request information to the IP address included in the content request information when, based on the content request information received by the receiving section, the radio connection identifier and the IP address included in the content request information are identified in the table set by the table setting section (0031-0032), and wherein the first content server delivers (0096-server returns) the content made to correspond to the content request information to the mobile terminal via the relay apparatus based on the content request information transferred from the transfer section.

Allowable Subject Matter

3. Claims 2- 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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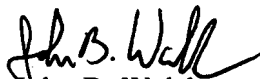
Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Thursday from 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


John B. Walsh
Primary Examiner
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